

## Message Text

LIMITED OFFICIAL USE

PAGE 01 LONDON 08443 202259Z  
ACTION L-03

INFO OCT-01 EUR-12 ISO-00 JUSE-00 SSO-00 /016 W  
-----202304Z 113463 /66

O 201738Z MAY 77  
FM AMEMBASSY LONDON  
TO AMCONSUL MUNICH IMMEDIATE  
INFO SECSTATE WASHDC IMMEDIATE 4188

LIMITED OFFICIAL USE LONDON 08443

C O R R E C T E D C O P Y (PARA 5)

MUNICH FOR CHARIG  
STATE FOR L -- PLEASE PASS ELECTRONICALLY TO JUSTICE

E.O. 11652: N/A  
TAGS: ACLM (MCINTYRE, A), UK  
SUBJECT: INDUSTRIAL TRIBUNAL ACTION--CLAIM AGAINST THE  
USG

REFS: (A) LONDON 8273 (B) MUNICH 1487

1. BASED ON REFTTEL B WE HAVE INFORMALLY CONTACTED FCO  
THIS AFTERNOON TO GET THEIR FEELINGS ON POSSIBILITY OF  
FURTHER DELAY IN SUBJECT ACTION. THEY OPINED THAT THEIR  
ACTION TO OBTAIN A DELAY WOULD MORE THAN LIKELY HAVE NO  
EFFECT ON INDEPENDENT JUDICIAL ARM OF HMG.

FYI: FCO HAS STATED THAT TRIBUNALS ACT AS AND WHEN THEY  
SEE FIT, QUESTIONS OF SOVERIGN IMMUNITY NOTWITHSTANDING  
END FYI.

2. DUE TO ATTITUDE OF TRIBUNAL IN SCOTLAND. AND CONSID-  
ERING THE SOMEWHAT AMAZING FACT THAT THE FCO EXERTS ONLY  
"ADVISORIAL" INFLUENCE WITH TRIBUNALS (I.E., CANNOT  
DICTATE POLICY SUCH AS POSTPONING COURT HEARING DATES).  
POSSIBILITY FOR DELETERIOUS INTER-GOVERNMENTAL FRICTIONS  
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EVENTUATING QUITE REAL. IN INSTANT CASE, TRIBUNAL COULD  
HOLD HEARING WITHOUT USG PRESENCE. RULE AGAINST USG AND  
WE WOULD BE LEFT EITHER TO SUBMIT TO THE EDICT "EX POST  
FACTO" OR NOT COMPLY WITH UK TRIBUNAL DECISION.

3. PLEASE PROVIDE GUIDANCE FOR RESOLUTION OF THIS MATTER.  
FYI: FCO HAS AGREED TO CONSIDER "AT HIGH LEVEL"  
THE OVERALL SITUATION AT OUR REQUEST. AND ATTEMPT TO

ASSUAGE THE PARTIES INVOLVED TO THE EXTENT POSSIBLE END  
FYI.

4. COPY OF FCO LETTER REQUESTED PARAGRAPH 2. REFTEL.  
SENT MUNICH. STATE AND JUSTICE TODAY UNDER COVER AIRGRAM.

5. DUE TO CONSTRAINTS PLACED ON EMBASSY BY VICE PRESI-  
DENTIAL VISIT, WE WILL BE UNABLE TO TELEPHONE CHARIG  
MAY 23 AS REQUESTED PARAGRAPH 3, REFTEL. REQUEST CHARIG  
TO DETERMINE STATUS OF SUBJECT CASE. AND IF DELAY EVEN-  
TUATES, PLEASE ADVISE US EITHER BY IMMEDIATE CABLE  
(PREFERABLE) OR PHONE ASAP, ALONG WITH GUIDANCE REQUESTED  
PARAGRAPH 3 ABOVE.

SPIERS

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
**Control Number:** n/a  
**Copy:** SINGLE  
**Sent Date:** 20-May-1977 12:00:00 am  
**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977LONDON08443  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
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**Handling Restrictions:** n/a  
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**Litigation Codes:**  
**Litigation History:**  
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**Message ID:** b727408f-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION L  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 77 LONDON 8273, 77 MUNICH 1487  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 08-Mar-2005 12:00:00 am  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 2439011  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** INDUSTRIAL TRIBUNAL ACTION--CLAIM AGAINST THE USG  
**TAGS:** ACLM, UK, (MCINTYRE, A)  
**To:** MUNICH  
**Type:** TE  
**vdkgvwkey:** odb://SAS/SAS.dbo.SAS\_Docs/b727408f-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Margaret P. Grafeld  
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22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009